



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



493136

REPLY TO THE ATTENTION OF.

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Nalco Diversified Tech
7145 Pine Street
Chagrin Falls, Ohio 44022

Re: Request for Information Regarding EPCRA Sections 311 and 312 Nalco
Diversified Tech, 7145 Pine Street, Chagrin Falls, Ohio 44022.

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) is currently investigating your facility's compliance with Sections 311 and 312 of the Emergency Planning and Community Right to Know Act of 1986, 42 U.S.C. §§ 11021 and 11022 (EPCRA). A facility is subject to the requirements of Sections 311 and 312 if the owner/operator is required to prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous chemical under the Occupational Safety and Health Act (OSHA) of 1970 and if the hazardous chemical is present in an amount in excess of the threshold established for such chemical.

The reporting requirement covers all hazardous chemicals present at the facility at any one time in amounts equal to or greater than 10,000 pounds, and for all extremely hazardous chemicals present at the facility in an amount greater than or equal to 500 pounds or the threshold planning quantity, whichever is lower.

Nalco Diversified Tech submitted a toxic release inventory (TRI) report pursuant to EPCRA § 313 for calendar year 1997, which included the storage of hazardous chemicals. However, Nalco Diversified Tech, 7145 Pine Street, Chagrin Falls, Ohio 44022 was not on the list of facilities that submitted an EPCRA 312 Tier II report to the State Emergency Response Commission for the 1997 calendar year.

You are hereby requested to respond to the Information Request enclosed within **thirty (30) days** of receipt of this letter. Please be advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal fines or up to five (5) years of imprisonment or both under 18 U.S.C. § 1001.

U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501, et seq.

Your response to this Information Request should be mailed to:

Ruth McNamara
Office of Chemical Emergency Preparedness
and Prevention
U.S. Environmental Protection Agency
77 West Jackson Boulevard (SC-6J)
Chicago, Illinois 60604

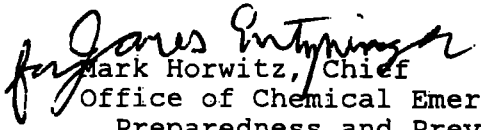
Please direct any questions you may have regarding this Information Request to Ruth McNamara at 312/353-3193.

Enclosed please find a U.S. EPA sheet entitled "Information for Small Businesses" which might be helpful if you are a small business.

Due to the potential seriousness of the problem at the facility and the legal ramifications of your failure to respond properly, U.S. EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the time specified above.

Thank you for your cooperation in this matter.

Sincerely yours,


Mark Horwitz, Chief
Office of Chemical Emergency
Preparedness and Prevention

Enclosure: Information Request Definitions
Information Request Instructions
Small Business Information Sheet
Information Request

INFORMATION REQUEST

1. Identify all persons consulted in the preparation of the answers to this request.
2. Identify all documentation consulted, examined, or referred to in the preparation of the answers to this request and provide copies of all such documents.
3. What is Nalco Diversified Tech's Standard Industrial Classification Code?
4. What is Nalco Diversified Tech's Dun & Bradstreet number?
5. Provide the name and current address of the owner(s) of the property located at 7145 Pine Street, Chagrin Falls, Ohio 44022, during the time period of January 1, 1997, to the present.
6. Provide the name and current address of the operator(s) of the facility located at 7145 Pine Street, Chagrin Falls, Ohio 44022, during the time period of January 1, 1997, to the present.
7. If Nalco Diversified Tech was a corporation during the time period of January 1, 1997, to the present, provide a copy of the Articles of Incorporation.
8. If Nalco Diversified Tech was a subsidiary of a corporation during the time period of January 1, 1997 to the present, identify the parent corporation and provide copies of pertinent documents supporting the subsidiary relationship.
9. If Nalco Diversified Tech was a division of a corporation during the time period of January 1, 1997, to the present, identify the corporation and provide copies of pertinent documents supporting the claim that this company is a corporate division.
10. If Nalco Diversified Tech was a partnership during the time period of January 1, 1997, to the present, provide a copy of the partnership agreement.
11. If Nalco Diversified Tech was a Trust during the time period of January 1, 1997, to the present, provide all relevant agreements and documents to support this claim.
12. How many employees are employed at Nalco Diversified Tech, 7145 Pine Street, Chagrin Falls, Ohio 44022?
13. How many employees are employed at Nalco Diversified Tech corporate wide?
14. What are Nalco Diversified Tech's annual sales?

15. Was Nalco Diversified Tech conducting business at 7145 Pine Street, Chagrin Falls, Ohio 44022, during the time period of January 1, 1997, to December 31, 1997? If so, please respond to the following information requests:

- a) Did Nalco Diversified Tech use, produce, manufacture, and/or store any hazardous chemicals at this location during the period of January 1, 1997, to December 31, 1997?
- b) If Nalco Diversified Tech did use, produce, manufacture, and/or store any hazardous chemicals at this location, provide a list of such hazardous chemicals and the maximum quantity stored at this facility at any one given time during the period of January 1, 1997, to December 31, 1997.
- c) For each hazardous chemical listed in number 15(b), provide a Material Safety Data Sheet (MSDS). (Note: For additional years): (If you already provided an MSDS for a hazardous chemical in information request number ____, you need not provide another one for the same hazardous chemical.)
- d) Provide a copy of the Tier One or Tier Two form required under Section 312 of EPCRA, 42 U.S.C. § 11022, for the period of January 1, 1997, to December 31, 1997.
- e) Did Nalco Diversified Tech supply copies of all MSDSs, or a list of hazardous chemicals, for materials stored at this facility above a Threshold Planning Quantity (TPQ) and/or Minimum Threshold Quantity to the Ohio State Emergency Response Commission on or before October 17, 1987, or 90 days from the date the hazardous chemical became present at this facility? If so, provide documentation to support your claim.
- f) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the Ohio State Emergency Response Commission for the period of January 1, 1997 to December 31, 1997, on or before March 1, 1998? If so, provide documentation to support your claim.
- g) Did Nalco Diversified Tech supply copies of all MSDSs, or a list of hazardous chemicals, for materials stored at this facility above a TPQ and/or Minimum Threshold Quantity to the Cuyahoga County Local Emergency Planning Committee on or before October 17, 1987, or 90 days from the date the hazardous chemicals became present at this facility? If so, provide documentation to support your claim.
- h) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the Cuyahoga County Local Emergency Planning Committee for the period of January 1, 1997, to December 31, 1997, on or before March 1, 1998? If so, provide documentation to support your claim.

- i) Did Nalco Diversified Tech supply copies of all MSDSs, or a list of hazardous chemicals, for materials stored at this facility above a TPQ and/or Minimum Threshold Quantity to the fire department with jurisdiction over your facility on or before October 17, 1987, or 90 days from the date the hazardous chemical became present at this facility? If so, provide documentation to support your claim.
 - j) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the fire department with jurisdiction over your facility for the period of January 1, 1997, to December 31, 1997, on or before March 1, 1998? If so, provide documentation to support your claim.
16. Was Nalco Diversified Tech conducting business at 7145 Pine Street, Chagrin Falls, Ohio 44022, during the time period of January 1, 1998, to December 31, 1998? If so, please respond to the following information requests:
- a) Did Nalco Diversified Tech use, produce, manufacture, and/or store any hazardous chemicals at this location during the period of January 1, 1998, to December 31, 1998?
 - b) If Nalco Diversified Tech did use, produce, manufacture, and/or store any hazardous chemicals at this location, provide a list of such hazardous chemicals and the maximum quantity stored at this facility at any one given time during the period of January 1, 1998, to December 31, 1998.
 - c) For each hazardous chemical listed in number 16(b), provide a Material Safety Data Sheet (MSDS). If you already provided an MSDS for a hazardous chemical in information request number 15, you need not provide another one for the same hazardous chemical.
 - d) Provide a copy of the Tier One or Tier Two form required under Section 312 of EPCRA, 42 U.S.C. § 11022, for the period of January 1, 1998, to December 31, 1998.
 - e) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the Ohio State Emergency Response Commission for the period of January 1, 1998 to December 31, 1998, on or before March 1, 1999? If so, provide documentation to support your claim.
 - f) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the Cuyahoga County Local Emergency Planning Committee for the period of January 1, 1998, to December 31, 1998, on or before March 1, 1999? If so, provide documentation to support your claim.

- g) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the fire department with jurisdiction over your facility for the period of January 1, 1998, to December 31, 1998, on or before March 1, 1999? If so, provide documentation to support your claim.
17. Was Nalco Diversified Tech conducting business at 7145 Pine Street, Chagrin Falls, Ohio 44022, during the time period of January 1, 1999, to December 31, 1999? If so, please respond to the following information requests:
- a) Did Nalco Diversified Tech use, produce, manufacture, and/or store any hazardous chemicals at this location during the period of January 1, 1999, to December 31, 1999?
- b) If Nalco Diversified Tech did use, produce, manufacture, and/or store any hazardous chemicals at this location, provide a list of such hazardous chemicals and the maximum quantity stored at this facility at any one given time during the period of January 1, 1999, to December 31, 1999.
- c) For each hazardous chemical listed in number 17(b), provide a Material Safety Data Sheet (MSDS). If you already provided an MSDS for a hazardous chemical in information request number 15 or 16, you need not provide another one for the same hazardous chemical.
- d) Provide a copy of the Tier One or Tier Two form required under Section 312 of EPCRA, 42 U.S.C. § 11022, for the period of January 1, 1999, to December 31, 1999.
- e) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the Ohio State Emergency Response Commission for the period of January 1, 1999 to December 31, 1999, on or before March 1, 2000? If so, provide documentation to support your claim.
- f) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the Cuyahoga County Local Emergency Planning Committee for the period of January 1, 1999, to December 31, 1999, on or before March 1, 2000? If so, provide documentation to support your claim.
- g) Did Nalco Diversified Tech supply a copy of each and every Tier One or Tier Two form provided under subparagraph (d) above to the fire department with jurisdiction over your facility for the period of January 1, 1999, to December 31, 1999, on or before March 1, 2000? If so, provide documentation to support your claim.